

RECEIVED
CENTRAL FAX CENTER
MAY 29 2008

FACSIMILE COVER SHEET

VAN PELT, YI & JAMES LLP

10050 N. Foothill Blvd.

Suite 200

Cupertino, California 95014

Tel: 408-973-2585

Fax: 408-973-2595

Date: May 29, 2008

CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named below. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

TO: Official Fax Filing

COMPANY: U.S. Patent & Trademark Office

FAX NO.: 571-273-8300

FROM: William J. James

RE: Change of Power of Attorney Request

REF. NO.: LEGAP006C2

PATENT APPLICATION NO.: 10/004,377

NO. PAGES: 4 pages total

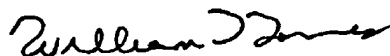
MESSAGE:

Dear Official Fax Filing:

Please accept the enclosed Power of Attorney to Prosecute and 37 CFR §3.73(b) Statement, for the above-referenced application.

If you have any questions please do not hesitate to contact me.

Best Regards,



William J. James

RECEIVED
CENTRAL FAX CENTER
MAY 29 2008

PTO/SB/80 (01-08)

Approved for use through 12/31/2008. OMB 0851-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

57,255

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

57,255

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		


Assignee Name and Address:

EMC Corporation
176 South Street
Hopkinton, MA 01748

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	5/4/06
Name	Theodore A. Chen	Telephone	925-600-5683
Title	Senior Intellectual Property Counsel, EMC Corporation		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

03:20:27 p.m.

05-29-2008

3 / 4

MAY 29 2008

PTO/SB/88 (11-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: GALIPEAU et al.Application No./Patent No.: 10/004,377 Filed/Issue Date: October 22, 2001Entitled: BACKING UP SELECTED FILES OF A COMPUTER SYSTEMFMC Corporation
(Name of Assignee)a Corporation
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: GALIPEAU et al. To: Octopus Technologies, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 008305, Frame 0912, or for which a copy thereof is attached.
2. From: Octopus Technologies, Inc. To: Qualix Group, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 008915, Frame 0425, or for which a copy thereof is attached.
3. From: Qualix Group, Inc. (dba Fulltime Software, Inc.) To: Legato Systems, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 010557, Frame 0854, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

William J. James

Printed or Typed Name

Reg. No. 40,661

Title

5-28-08

Date

408-973-2592

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAY 29 2008

Supplemental Sheet of the Chain of Titles

4. From: Legato Systems, Inc. To: EMC Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 014261, Frame 0035, or for which a copy thereof is attached.

5. From: Legato Systems, Inc. To: EMC Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 014725, Frame 0594, or for which a copy thereof is attached.

Application No.: 10/004,377
Attorney Docket No.: LEGAP006C2